

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CITIZENS SOUTH DAKOTA N.A. (AT&T),  
as trustee, UNITED STATES OF AMERICA  
(IRS), and ROES and DOES i THROUGH cm,  
INCLUSIVE,

Plaintiffs,

v.

BARBARA JOAN; KENASTON,

Defendant.

Case No. MS05-5035FDB

ORDER OF DISMISSAL

Defendant Kenaston purports to remove a matter from the Kitsap County Superior Court, alleging “complete diversity between the parties.” Kenaston refers to a summary judgment motion brought by Plaintiff Citibank South Dakota, N.A. against Joan Kenaston in a Kitsap County case wherein Citibank is Plaintiff and Joan Kenaston is Defendant. There are other documents attached with other case headings.

It is not clear what case Kenaston purports to remove, and, therefore, it cannot be determined whether removal was timely nor can any of the other requirements for assessing whether an action was properly removed be addressed. This case appears to be a different case from those referenced in the attached documents. This method of filing a case is improper under the Federal

1 Rules of Civil Procedure, especially, Rule 8. Moreover, Kenaston has improperly categorized this as  
2 a miscellaneous case and has failed to pay the filing fee for a civil action. Neither the basis for this  
3 Court's jurisdiction nor the nature of the claim can be discerned from the documents filed.  
4 Defendant appears to be contesting matters pending in Kitsap County Superior Court. Kenaston will  
5 be left to her remedy therein, as this matter must be dismissed for the above-referenced deficiencies.

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7 NOW, THEREFORE, IT IS ORDERED: This cause of action is DISMISSED.

8 DATED this 10<sup>th</sup> day of November, 2005.

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11 FRANKLIN D. BURGESS  
12 UNITED STATES DISTRICT JUDGE  
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